

REMARKS/ARGUMENTS

The present amendment is submitted in conjunction with a Request for Continued Examination, and in response to the final rejection dated January 9, 2008.

Claims 15-20 and 24-27 are pending in the application.

In the final Office Action, the Examiner indicated that a reply to the final rejection must include cancellation of nonelected claims or other appropriate action with regard to nonelected claims 28-32. Claims 15-20 and 24-27 were rejected under 35 U.S.C. 103(a) as being unpatentable U.S. Patent No. 3,437,783 to Lemelson.

Regarding the Examiner's comment relating to the nonelected claims, the Applicants notes that claims 28-32 have previously been indicated as "withdrawn", which constitutes an appropriate status indicator for nonelected claims. These claims are again indicated as "withdrawn" in this present amendment.

In a telephone interview with the Examiner following receipt of the final rejection, the attorney for the Applicant discussed with the Examiner his willingness to accept an amendment to claim 15 to include distinct steps of the "pulse welding method" in order to distinguish over the Lemelson reference. The Examiner stated in the conference that adding these steps to claim 15 in the form of a Request for Reconsideration would raise a problem of "new issues", since any such distinct steps of pulse welding have not yet been considered in the claims. He suggested instead that a Request for Continued Examiner (RCE) should be filed with this amendment to claim 15. He also suggested that inclusion of such language appeared to distinguish over Lemelson.

Therefore, in the present amendment, independent claim 15 has been amended to more clearly define the present invention over the cited reference to Lemelson by adding specific language relating to the pulse welding process.

Claim 15 as amended now specifically recites *"that said capacitor pulse fusing comprises applying a current pulse of up to 200,000A for less than 1 s, such that an electrical resistance is formed from fiber-to-fiber of the metallic fibers compressed together, whereby said electrical resistance leads to heating and a point-type fusing of said metallic fibers with a respective closest metallic fiber at the compressing and fusing location"*.

Support for the added language can be found in the original specification on page 6, lines 7-20.

As argued previously, Lemelson discloses a method for producing a metallic fibrous matte in which metallic fibers are placed on the upper surface 23 of an electrode plate 22 of a press device 10. The device also includes a movable platen electrode 11 with a lower surface 12 for engaging and compressing the filament elements. When the filaments are to be fused and compressed, the movable electrode plate 11 is lowered toward the upper surface 23 of the plate 22 and compresses the filament elements against the upper surface of the lower member 22 (see Lemelson, column 2, lines 44-62).

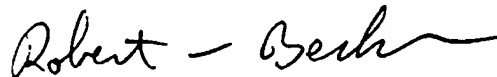
Lemelson does not specifically disclose using "pulse fusing" (i.e., welding) in the sense of the present invention. Rather, the pulse disclosed in Lemelson refers to a "control pulse" of the control or steering system, not a fusing or welding pulse. Lemelson discloses that an "energizing input 17" may be "pulsed" to cause the controller 17 to cycle once and supply electrical energy or signals for controlling the

servo 18 and the gating means 15, 16 for the welding power supply 14. (see column 3, lines 28-32).

It is respectfully submitted that since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a *prima facie* case of obviousness as clearly set forth in MPEP section 2143.01

The application in its amended state is believed to be in condition for allowance. However, should the Examiner have any comments or suggestions, or wish to discuss the merits of the application, the undersigned would very much welcome a telephone call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert - Becker", with a stylized flourish at the end.

Robert W. Becker, Reg. 26,255
Attorney for Applicant(s)

ROBERT W. BECKER & ASSOCIATES
707 State Highway 333, Suite B
Tijeras, New Mexico 87059

Telephone: 505 286 3511
Telefax: 505 286 3524

RWB:rac